

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LUIS CORDOVA,

Plaintiffs,

-against-

MEMORANDUM AND ORDER
14-CV-4662 (FB) (JO)

JADE RESTORATION CORP. et al.,

Defendants.

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Appearances:

For the Plaintiffs:

ANDREW GLENN

JODI JILL JAFFE

Jaffe Glenn Law Group, PA

168 Franklin Corner Road

Lawrence Township, NJ 08648

BLOCK, Senior District Judge:

On April 14, 2015, Magistrate Judge James Orenstein issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s case be dismissed for failure to prosecute. R&R at 3. The R&R further provided that failure to object within fourteen days would preclude appellate review. *Id.* at 3-4. To date, no objections have been filed.

If clear notice has been given of the consequences of the failure to object, and there are no objections, the Court may adopt the R&R without *de novo* review. *See Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure to timely to object to a magistrate’s

report and recommendation operates as a waiver of further judicial review of the magistrate's decision."'). The Court will excuse a failure to object and conduct *de novo* review if it appears that the magistrate judge may have committed plain error. *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000). No such error appears here. Accordingly, the Court adopts the R&R without *de novo* review and directs the Clerk of the Court to enter judgment in accordance with the R&R.

SO ORDERED.

/S/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
September 2, 2015